

Historic, Archive Document

Do not assume content reflects current scientific knowledge, policies, or practices.

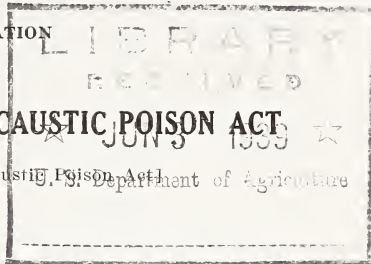
United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICE OF JUDGMENT UNDER THE CAUSTIC POISON ACT

[Given pursuant to section 9 of the Caustic Poison Act]

89



[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 22, 1939]

S9. Misbranding of Standard Compound. U. S. v. 21 Cans and 11 Cans of Standard Compound. Default decree of condemnation and destruction. (C. P. A. No. 97. Sample No. 23098-D.)

This product was a dangerous caustic or corrosive substance in packages suitable for household use and was not labeled in compliance with the law prescribing the labeling of such substances.

On or about September 8, 1938, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of twenty-one 10-pound cans and eleven 5-pound cans of Standard Compound at Kalispell, Mont.; alleging that the article had been shipped in interstate commerce within the period from on or about August 29, 1937, to on or about May 13, 1938, by the Standard Chemical Co. from Aberdeen, Wash.; and charging misbranding in violation of the Federal Caustic Poison Act.

The libel alleged that the article contained sodium hydroxide in a concentration of 10 percent or more and was a dangerous caustic or corrosive substance in retail packages suitable for household use, and was misbranded in that the label on the package did not bear the word "poison" as required by law since the letters of the word "poison," borne on the can label, were of a size and style differing from that required by the said act of Congress.

The libel alleged that the article was also misbranded in violation of the Insecticide Act of 1910 reported in notice of judgment No. 1663 published under that act.

On December 9, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

146830—39

